



NATIONAL POLICY CONSENSUS CENTER
Hatfield School Of Government

MEMORANDUM

TO: Mid-Coast IR TMDL Sediment Technical Working Group Members
FROM: Turner Odell, Oregon Consensus (OC)
SUBJECT: DRAFT – Action Items from August 15 Meeting – DRAFT
DATE: September 5, 2012

This memo follows up on the August 15, 2012, meeting of the Mid-Coast Implementation Ready Total Maximum Daily Load (IR TMDL) Sediment Technical Working Group (TWG), held at the Oregon Coast Community College in Newport, Oregon. The memo includes the following: proposed future meeting dates, identified action items and brief summaries of key topics discussed.

Upcoming Meetings

Please take note and calendar the following meetings.

Meeting	Date	Location
LSAC Meeting 6 and TWG Meetings	September 18-19, 2012	Florence OR (Siuslaw Valley Fire and Rescue)
LSAC Meeting 8 and TWG meetings	October (16-)17, 2012	TBD
LSAC Meetings 9 - 14 TWG Meetings	November 2012 – November 2013 (see Meeting Schedule & Workplan)	TBD

Action Items

Action Item	Who	Date
1. <u>Action Items</u> <ul style="list-style-type: none">Prepare draft Action Items memo and distribute to TWG members for review	OC (Turner) with DEQ	Complete
2. <u>Information Follow-up</u> <ul style="list-style-type: none">Post presentations and meeting documents to project website	DEQ	By cob, August 31

3. <u>Information Sharing</u> <ul style="list-style-type: none"> • Send BMPs list to DEQ • Provide California protocol (Pacific Watersheds Associates) to DEQ • Distribute information to TWG 	Dale Stewart Mary Scurlock Josh S.	Before next meeting Done By next meeting
4. <u>Road Type Subgroups</u> <ul style="list-style-type: none"> • Convene Forest Roads Subgroup • Ask Joe Steere or Don Kessi to join agricultural roads subgroup • Investigate possible membership for county roads subgroup (contact Jim Buisman) • Draft Integrative Document for all road types 	Josh S. Josh S. Josh S. Josh S.	ASAP Before next meeting By next meeting By next meeting

Sediment TWG Members Present: Stephen Hager (Siuslaw Watershed Council), Mike Buren (ODF), Daren Cone (ODF), Stan van de Wetering (Confederated Tribes of the Siletz Indians), Mary Scurlock (alternate for Glen Spain - PCFFA), Kate Danks (NRCS), Hui Rodomsky (Salmon-Drift Creek Watershed Council), Wayne Hoffman (MidCoast Watersheds Council), Randy Hereford (Starker Forests), Kami Ellingson (USFS), Richard Huff (private landowner), Maryanne Reiter (Weyerhaeuser), Peter Adams (BLM), Dale Stewart (BLM), Jim Steers (alternate for Bill Morgan – Lane County), Jim Buisman (Lincoln Co), Dan Avery (ODFW-OCCCP)

Project Team Members Present: David Waltz, Ryan Michie, Gene Foster, Karen Tarnow, Josh Seeds (DEQ); Alan Henning, Jenny Wu (EPA); Jessie Conover (Oregon Consensus)

Other Attendees: Nina Bell (Northwest Environmental Advocates), Susan Shaw (Weyerhaeuser), Jim Welsh, John Wooley (Oregon Cattlemen's Association), Jeff Lockwood (NOAA Fisheries), Jeff Light (Plum Creek), Gary Springer (Starker Forests, Oregon Board of Forestry), Paul Robertson (Devils Lake WID), Paul Engelmeyer (Native Fish Society)

Facilitation: Turner Odell (Oregon Consensus)

Meeting Notes

Key topics and themes:

During the second meeting of the Mid-Coast TMDL Sediment TWG attendees: (1) heard an overview of the draft forest roads management approach (2) reviewed, discussed and provided feedback regarding the approach and (3) discussed whether to approach roads from an integrated or sector/use-based perspective. The meeting agenda, meeting materials (including PowerPoint presentations) will be available through the DEQ Mid-Coast TMDL project website at: (<http://www.deq.state.or.us/wq/tmdls/midcoast.htm>).

Stakeholder Questions, Issues, Concerns and Agency Responses

Wayne Hoffman provided an overview of a community meeting put on by the Lincoln County SWCD. It was reportedly helpful in clearing up misconceptions about aspects of the MidCoast

TMDL process, primarily related to bacteria source assessment and standards and to how community input would be used. He suggested that DEQ staff analyze the concerns presented at that meeting and use that information to answer future questions from the community. DEQ agreed that the Harlan meeting was valuable and noted that it is working with the LSWCD to capture landowner concerns and is considering a factsheet or FAQ-type response to inform and engage the community.

Forest Roads Management Approach Discussion and Feedback

The group heard an overview of the forest roads document developed by DEQ in consultation with ODF and a summary of the comments received by DEQ from several TWG members. The group discussed the scope and type of remaining work to be done under the Oregon Plan voluntary measures, and how those data are collected on the OWEB reporting form and might be made available through the OWRI database. One member suggested that an indicator of current forest roads management would be inspection results or citations by ODF, including emergency repair work, and further suggested that it would be easier to account for what has been completed as opposed to what is left to do (under Oregon Plan). There was some discussion that most large forest landowners probably already have an inventory and what is being proposed by DEQ is an accounting of remaining work to bring the existing road network up to current FPA standards and guidelines.

DEQ had solicited information on assessment protocols for the document. Dale (BLM) offered to provide a comprehensive list of BMPs developed for forest roads, largely based on the current FPA. Kami (US Forest Service) indicated that a draft roads manual is being vetted by the federal agency and could be useful for this aspect of the approach.

It was suggested that DEQ clarify the goal of the TMDL with respect to what is meant by “hydrologically disconnected” because it would not be sufficient to look only at surface flow connections and not consider other down-slope effects on waterways such as changes to groundwater movement pathways. DEQ agreed that this was an appropriate issue to consider during evaluation of best management practices, and is more site-specific.

DEQ clarified (see language on page 1 third paragraph of the draft forest roads approach document) that roads built after 1984 were not automatically exempted from assessment or management measures to address sediment delivery risks, and that roads built to the current standards in the FPA and associated rules are likely not significant sources of sediment. However, these would still have to be evaluated for the presence of features or characteristics that represent a high risk of potential sediment delivery). Jenny Wu (EPA) stated that EPA’s position is that the entire forest road network should be evaluated for risk of sediment delivery.

The TMDL sediment source assessment was a major topic of discussion. Several members expressed the opinion that an accounting of all sources (anthropogenic and “natural sources”) of sediment (i.e., a “sediment budget”) should be an important aspect of distinguishing whether road sediment is significant, relative to other sources, including: stream bank erosion, land surface erosion from land management practices, and other natural or anthropogenic sources. Several theoretical scenarios were suggested, including a scenario where roads represent 1% of the total sediment load in any given watershed. Several members expressed concern at the costs to perform an extensive road inventory and assessment and that a sediment budget could be used to target areas where anthropogenic road sediment is a significant source.

DEQ explained to the TWG members that in previous meetings and materials it has identified an

approach using a phased source assessment. DEQ indicated that the current phase (Phase I) is based on an evaluation of existing information sources including literature, ODF publications, Oregon Plan information, the OWRI database, and local knowledge, and DEQ would be willing to look at other existing information if provided or available. DEQ also acknowledged that extensive field data collection is not possible in the timeframe available to complete the MidCoast TMDLs. DEQ explained that the Phase I source assessment is the identification of potential sources and protocols to evaluate sources (including high risk roads) based on gaps in current regulatory frameworks. DEQ staff stated that sufficient information exists to demonstrate that un-surfaced roads (regardless of sector) generate and deliver sediment to streams. Because the primary goal of the MidCoast sediment TMDLs is to reduce the anthropogenic load from sources of sediment to streams, the relative contribution of roads to overall sediment processes is largely unrelated to identification of natural sources.

In this regard, DEQ (Josh) noted that roads and other anthropogenic sources deliver sediment on different spatial and temporal patterns than natural sources and this represents part of the difficulty associated with choosing source inventory approaches and timeframes.

The potential methodology(s), timeframe and costs to perform a sediment budget in the sedimentation listed waterbodies were not explored further by the group. DEQ indicated that more detailed source assessment information will be conducted in Phase II of the sediment approach (during implementation) and is intended to gather the more detailed information needed to prioritize management measures and conduct on-the-ground activities. The discussion of prioritization mechanisms resulted in several suggestions from TWG members, including prioritization by “worst first,” biggest positive impact, and chronic versus episodic delivery.

It was noted that other states had developed methodologies for assessing roads and that those should be reviewed/considered including Washington’s Road Maintenance and Abandonment Plan (RMAP) regulations and California’s approach (as developed by Pacific Watershed Associates – Mary Scurlock agreed to provide that to the group). DEQ indicated that it reviewed RMAP and chose to propose an approach based on the current FPA regulatory framework, considering gaps therein, combined with Oregon Plan measures.

Subgroup Division Discussion

The group discussed the TMDL roads approach regarding land use-specific roads. There was discussion about whether to split the approach by road type or to take an integrated approach looking at “type” in terms of the nature of the surface (dirt, gravel, etc.) instead of the associated land use or sector (forestry, agriculture, etc.). It was suggested that the problems/issues common to all roads were sufficient to warrant an integrated or unified approach with internal clarifications on land use-specific issues where appropriate. On the other hand, one reason suggested for having separate approaches was that roads are already subject to several regulatory frameworks (sometimes with differing performance standards), depending on sector – i.e., agricultural, private and state forestry, federal forests, county, urban, and private. TWG members agreed to provide further feedback to DEQ who will consider the issue and return to the TWG with ideas.

Josh proposed that he produce a document with the common framework for all road types that would outline the integrated roads approach. He also proposed to work with a small subgroup of TWG members with forest road expertise to refine a forest approach before the next full TWG meeting. The TWG members also agreed to select group members for subgroups focused on

other road types at this meeting and wait to convene those subgroups until the forest approach is more developed.

Forest Roads Group

Peter Adams (BLM)
Kami Ellingson (USFS)
Daren Cone (ODF)
Richard Huff (private landowner)
Jerry Anderson (Hancock Timber, chosen by Randy Hereford)

Agricultural Roads Group

Jim Welsh (Oregon Cattlemen's Association)
Kevin Fenn (point of contact for another member from ODA)
Don Kessi or Joe Steere (*ask*)
Wayne Hoffman (MidCoast Watersheds Council)
Steve Hager (Siuslaw Watershed Council)

County/Municipal Roads Group

ODOT?
County (Lane and Lincoln)
City – Tim Gross or Newport, Florence, Toledo?